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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/847,257	05/02/2001	Naohiro Isshiki	B422-148	6909
26272	7590	06/14/2005	EXAMINER	
COWAN LIEBOWITZ & LATMAN P.C. JOHN J TORRENTE 1133 AVE OF THE AMERICAS 1133 AVE OF THE AMERICAS NEW YORK, NY 10036			LAU, TUNG S	
		ART UNIT	PAPER NUMBER	
		2863		
DATE MAILED: 06/14/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/847,257	ISSHIKI, NAOHIRO
	Examiner	Art Unit
	Tung S. Lau	2863

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 01 June 2005.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-7 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Bigari (U.S. Patent 5,010,485).

Regarding claim 1:

Bigari discloses a data processing apparatus for effecting a predetermined process with respect to another data processing apparatus, comprising: a recognition unit for recognizing an account function of another data processing apparatus (abstract, fig. 2, unit 46); a decision unit for deciding whether said data processing apparatus is to effect a account process for a first process by said data processing apparatus and for a second process by said another data processing apparatus (fig. 2, unit 70); and a control unit for controlling execution of the account process in accordance with the decision by said decision unit (fig. 2, unit 76, 78, 82).

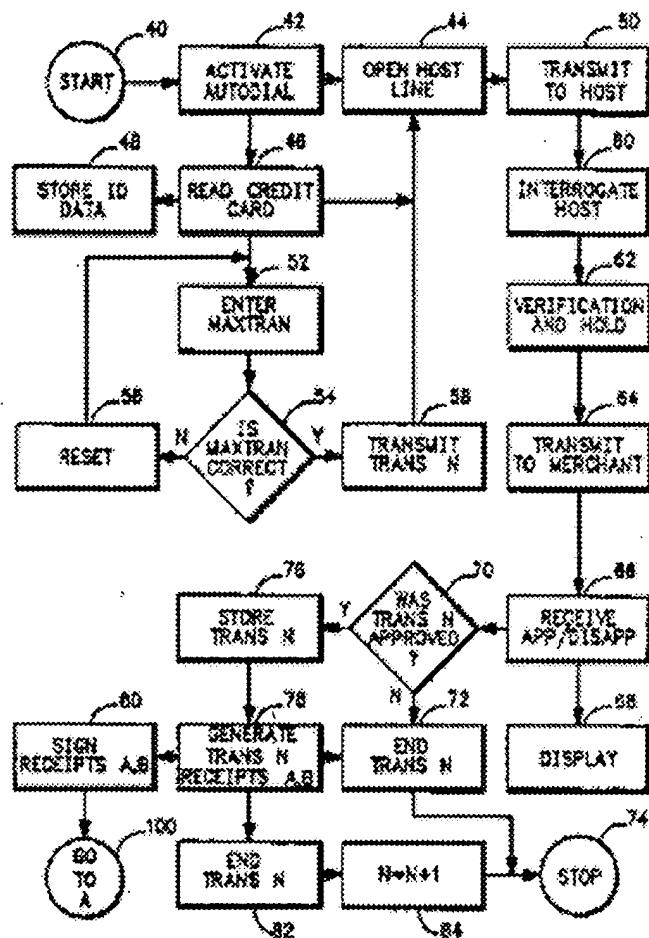


Fig. 2

Regarding claim 5:

Bigari discloses a data processing apparatus comprising: a processing portion for effecting a predetermined process with respect to another data processing apparatus (abstract); and Information portion for informing said another data processing apparatus of account function information of the data processing apparatus (fig. 2, unit 60, 62), so that double account for the predetermined process by said data processing apparatus and said another data processing apparatus is prevented (fig. 2, unit 62); and a account portion for executing a

account process for a first process by said data processing apparatus and for a second process by said another data processing apparatus in order to execute the predetermined process after the information by said information portion (fig. 2, unit 62, 70).

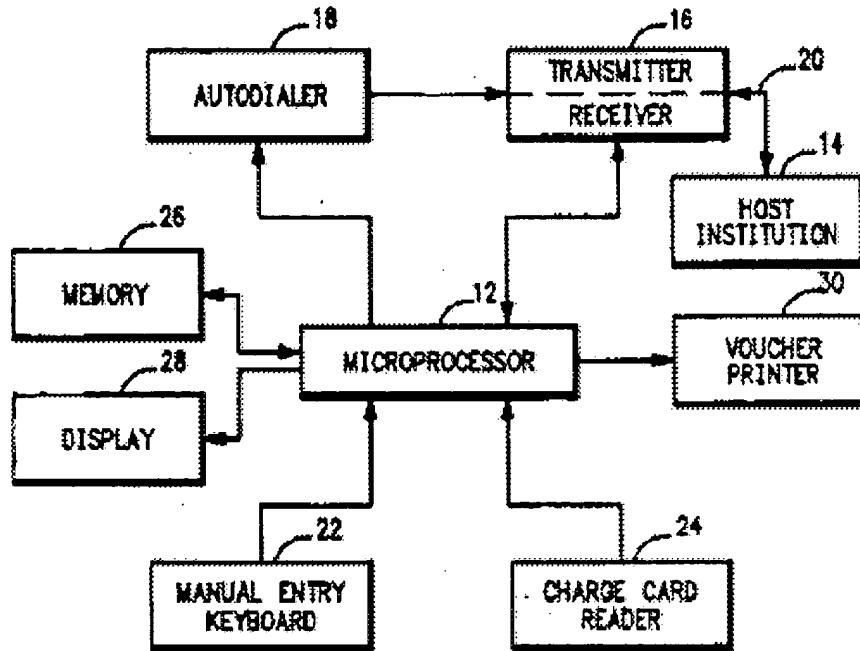
Regarding claim 6:

Bigari discloses a method for controlling a data processing apparatus for effecting a predetermined process with respect to another data processing apparatus, comprising: recognizing a account function of the another data processing apparatus (fig. 2, unit 62, 60); deciding whether said data processing apparatus is to effect a account process for a first process by said data processing apparatus and for a second process by said another data processing apparatus in accordance with the recognition in said recognition step (fig. 2, unit 70); and controlling execution of the account process in accordance with the decision by said decision unit (fig. 2, unit 70).

Regarding claim 7:

Bigari discloses a method for controlling a data processing apparatus comprising: effecting a predetermined process with respect to another data processing apparatus (fig. 1, unit 24); said another data processing apparatus of the account function information of the data processing apparatus (fig. 1, unit 14), so that double account for the predetermined process by said data processing apparatus and said another data processing apparatus is prevented and executing a account process for a first process by said data processing apparatus and for a

second process by said another data processing apparatus in order to execute the predetermined process after the information, by said information step informing (fig. 2, unit 70).



Regarding claim 2, Bigari further discloses decision what effects the decision on a basis of information received from another data processing apparatus (fig. 2, unit 46); Regarding claim 3, Bigari further discloses wherein the predetermined process is a process for printing an image read by said another data processing apparatus in the data processing apparatus; and the account process is based on at least one part of information regarding the number of images read by said another data processing apparatus, monochromatic reading, color reading, the number of sheets to be printed by said another data processing apparatus, monochromatic printing and color printing (Col. 5, Lines 5-24); Regarding claim 4, Bigari further discloses wherein the predetermined process is a process for

printing as image read by the data processing apparatus in said another data processing apparatus; and the account process is based on at least one part of information regarding the number of images read by the data processing apparatus, monochromatic reading, color reading, the number of sheets to be printed by said another data processing apparatus, monochromatic printing and color printing (Col. 5, Lines 5-24, fig. 2, unit 78).

Response to Arguments

2. Applicant's arguments filed 06/01/2005 have been fully considered but they are not persuasive. Applicant's arguments with respect to claims 1-7 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will

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the statutory period for reply expire later than SIX MONTHS from the date of this final action.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tung S Lau whose telephone number is 571-272-2274. The examiner can normally be reached on M-F 9-5:30. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Barlow can be reached on 571-272-2269. The fax phone numbers for the organization where this application or proceeding is assigned is 703-872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

BRYAN BUI
PRIMARY EXAMINER

TL



6/1-105